

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DWIGHT PATENT 10945 MINING LLC,
Plaintiff(s),
v.
HML INVESTMENTS, et al.,
Defendant(s).

Case No.: 2:19-cv-01357-JAD-NJK

REPORT AND RECOMMENDATION

The complaint in this case was filed on August 6, 2019. Docket No. 1. No proof of service has been filed for Defendants Louise Monteleone, United States, and HML Investments. Defendants who are not served within 90 days are subject to dismissal. Fed. R. Civ. P. 4(m). As such, on February 25, 2020, the Court ordered Plaintiff to show cause why the above defendants should not be dismissed from this case. Docket No. 43. The response to that order to show cause was due by March 4, 2020. *See id.* There has been no response to date.

Accordingly, the undersigned **RECOMMENDS** that Defendants Louise Monteleone, United States, and HML Investments be **DISMISSED** without prejudice for lack of service.

Dated: April 1, 2020


Nancy J. Koppe
United States Magistrate Judge

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation must file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).